

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HERBERT JOHNSON,

Plaintiff, No. 2:11-cv-3221 EFB P

VS.

J. WALKER, et al.,

**Defendants. ORDER**

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. A civil action, other than one based on diversity jurisdiction, must be brought in the judicial district where any defendant resides, if all defendants reside in the same State, (2) the judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action otherwise be brought.” 28 U.S.C. § 1331(b).

In his amended complaint (Dckt. No. 7), plaintiff alleges violations of his civil rights by defendants who are alleged to be employed in Sacramento County, Imperial County, and Riverside County. Plaintiff is presently confined to R.J. Donovan Correctional Facility in San Diego County. Both San Diego County and Imperial County are located within the Southern

1 District of California. 28 U.S.C. § 84(d). While a basis for venue may also exist in this District  
2 and the Central District, the court finds that a transfer under § 1404(a) to the Southern District of  
3 California is appropriate “[f]or the convenience of the parties and witnesses” and “in the interest  
4 of justice.” 28 U.S.C. § 1404(a).

5 Therefore, this action is transferred to the United States District Court for the Southern  
6 District of California. *See* 28 U.S.C. § 1404(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C.  
7 Cir. 1974). The court takes no action of plaintiff’s application to proceed in forma pauperis  
8 (Dckt. No. 2).

9 So ordered.

10 DATED: July 26, 2012.



11 EDMUND F. BRENNAN  
12 UNITED STATES MAGISTRATE JUDGE  
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